

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Orig Stone Gap DIVISION

MAR 31 2017

JUNIA C. DUDLEY, CLERK
BY: E. Surber
DEPUTY CLERK

Melinda Scott

Plaintiff(s),

v.

Wise County Dept. of Social Services
Norton City Dept. of Social Services

Defendant(s).

(Enter the full name(s) of ALL parties in this lawsuit.

Please attach additional sheets if necessary).

Civil Action No.: 2:17CV6
(To be assigned by Clerk of District Court)

COMPLAINT

PARTIES

1. List all Plaintiffs. State the full name of the Plaintiff, address and telephone number. Do the same for any additional Plaintiffs.

a. Plaintiff No. 1

Name: Melinda Scott

Address: PO BOX 1133-2014PMB87 Richmond, VA 23218

Telephone Number: 540-676-8763

b. Plaintiff No. 2

Name: _____

Address: _____

Telephone Number: _____

2. List all Defendants. State the full name of the Defendant, even if that Defendant is a government agency, an organization, a corporation, or an individual. Include the address where each Defendant may be served. Make sure that the Defendant(s) listed below are identical to those contained in the above caption of the complaint.

a. Defendant No. 1

Name: Wise County Department of Social Services

Address: 5612 N Bear Creek Rd, Wise, VA 24293

b. Defendant No. 2

Name: Norton City Department of Social Services

Address: 938 Park Ave, Norton, VA 24273-0378

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached: ☐

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.c., 2.d., etc.).

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case. Federal courts also have jurisdiction over cases where the United States is a Defendant.

3. What is the basis for federal court jurisdiction?

☐ Federal Question

☐ Diversity of Citizenship

☒ Government Defendant

4. If the basis for jurisdiction is Federal Question, which Federal Constitution, statutory or treaty right is at issue? List all that apply.

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff No. 1: _____ State of Citizenship: _____

Plaintiff No. 2: _____ State of Citizenship: _____

Defendant No. 1: _____ State of Citizenship: _____

Defendant No. 2: _____ State of Citizenship: _____

Attach additional sheets of paper as necessary and label this information as paragraph 5. Check here if additional sheets of paper are attached. ☐

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Do not give any legal arguments or cite cases or statutes. Each paragraph must be numbered separately, beginning with number 6. Please write each single set of circumstances in a separately numbered paragraph.

6.a. On August 31, 2016 The Norton City Department of Social Services entered my residence through the back door without a search warrant thus violating my Fourth Amendment rights.

b. On October 31, 2016, November 9, 2016 and March 6, 2017 Wise County Department of Social Services refused to supply me with a search warrant in order to enter my place of residence.

c. Wise County Social Services attempted to use fear and intimidation in order to get me to open the door and grant them entry into my home.

d. Wise County Social Services searched my home for frivolous and unreasonable allegations.

e. Wise County Social Services investigated me for asserting my religious liberties.

The actions of Norton City Social Services are a violation of my Fourth Amendment Rights. The actions of Wise County Social Services are a violation of my First and Fourth Amendment Rights.

Their actions constitute harassment, the willful infliction of emotional distress, grief, inconvenience and religious discrimination.

Attach additional sheets of paper as necessary and label them as Additional Facts and continue to number the paragraphs consecutively. Check here if additional sheets of paper are attached. ☐

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

I want restitution to me and damages in the amount of \$200,000, as well as an Order preventing either Agency from entering my home without a search warrant. Further, I would like the Order to prevent either agency from investigating me for religious liberties.

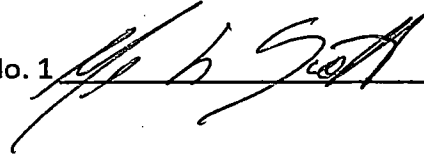
DEMAND FOR JURY TRIAL:

☐ YES

☒ NO

Signed this 29 day of March, 2017.

Signature of Plaintiff No. 1

A handwritten signature in black ink, appearing to be "J. H. Smith", written over a horizontal line.

Signature of Plaintiff No. 2

NOTE: All Plaintiffs named in the caption of the complaint must date and sign the complaint. Attach additional sheets of paper as necessary.